

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action dated September 14, 2004. Claims 1-43 are pending. Claims 1-43 are rejected. Claims 1-2, 13, 25, 26, and 37-38 have been amended. Accordingly, claims 1-43 remain pending in the present application.

FIG. 1 has been amended to include "Firewall 17", as recited in the Specification.

Independent claims 1, 25 and 37 have been amended to recite that the peer-to-peer network includes a server. Claims 1 and 25 were also amended to make clear that steps (a)-(c) are performed by the server. Step (d) was amended to recite "instructing", rather than "using" to comport with the recitations of claim 13. Independent claim 13 was amended to recite "a" first node and "a" second node. Dependent claims 2, 26, and 38 were amended to recite "the" server, rather than "a" server. It is respectfully submitted that no new matter has been entered.

The Examiner rejected claims 1-43 under 35 USC §102(e) as being anticipated by US patent number 6,510,154 by Mayes et al. Applicant respectfully disagrees.

The present invention provides a method and system for optimizing private network file transfers in a public peer-to-peer network, such that client nodes that are part of the same private network 16 share files by transferring the files within the private network 16, rather than transferring the files over the public network 10 (via the Internet). This is accomplished by registering the client nodes with a server, using the server to recognize when two nodes that need to transfer a file belong to the same private network, and causing the two nodes to send their request/responses to each other through their private network, rather than going through the Internet.

Amendments to the Drawings:

FIG. 1 has been amended to include Firewall 17.

Referring now to the claims, claim 1 has been amended to comport with the recitations of claim 13 and now recites a method for optimizing private network file transfers in a peer-to-peer public network, the peer-to-peer public network including a server and a plurality of nodes. The steps include receiving by the server a search request from a first node for a file; determining by the server that the file is stored on a second node; determining by the server that the first and second nodes are part of the same private network; and instructing the second node to transfer the file to the first node over the private network instead of the public network.

In contrast, Mayes is directed to a method and system for translating local IP addresses to globally unique IP addresses. This allows local hosts in an enterprise network to share global IP addresses from a limited pool of such addresses available to the enterprise. Mayes fails to teach or suggest the combination of elements recited in independent claims 1, 13, 25, and 37.

Although the Examiner contends that Mayes teaches a method for optimizing private network "enterprise network" file transfers and a peer-to-peer public network, Mayes in fact has nothing at to do with peer-to-peer networks and therefore fails to teach or suggest a "method for optimizing private network file transfers in a peer-to-peer public network, the peer-to-peer public network including a server and a plurality of nodes," as recited in claim 1. Mayes describes that private networks are commonly connected to the Internet through one or more routers so that hosts on the private network and communicate with nodes on the Internet, but Applicant has performed a search on Mayes, and Mayes fails to include the terms "peer" or "peer-to-peer". As defined in the present application, "in a peer-to-peer network, all workstations and computers in the network may access servers to all other users on the network (page 2,

line 23 to page 3, line 1). It is believed that Maye's nodes fail to perform this function.

The present invention recites a server on the public network (e.g., the Internet) and two client nodes of the peer-to-peer network on the same private network. The Examiner repeatedly cites Mayes col. 4, lines 55 through col. 5, line 5 for teaching the elements of the present invention. However, this passage of Mayes merely recites:

FIG. 2 shows a network arrangement 32 employing a network address translation system 34 of the present invention. Translation system 34 acts as a connection between an enterprise network 36 and the Internet 38. On the Internet side, translation system 34 connects to an Internet router 40 via a line 42. Internet router 40, in turn, connects to Internet destinations 44 through a line 46. On the enterprise network side, translation system 34 connects to a router 48 via a line 50. Router 48 is, in turn, linked to various nodes on the enterprise network 36 including node 52 (via line 54) and node 56 (via line 58).

As an example, assume that node 52 sends packets 60a and 60b to router 48 along line 54. Packet 60a is destined for the Internet as indicated by a packet header 62. In contrast, packet 60b is destined to for a node on the enterprise network as indicated by packet header 64. Upon receiving packets 60a and 60b, router 48 then routes packet 60b along line 58 to node 56 and routes packet 60a along line 50 to translation system 34.

It is respectfully submitted that Mayes' translation system 34 is not analogous to the claimed "server" because the translation system 34 is not part of the peer-to-peer network; appears to straddle the Internet and the enterprise network, rather than being separate from the enterprise network; and the translation system fails to perform the recited functions of the server.

For example, the translation system 34 does not "receive a *search request*" from one of the nodes in the enterprise network. Mayes fails to teach or suggest any components that searches. In response to the search request for the file, Mayes' translation system further fails to "determine that the files stored on a second node in

the enterprise network; determine that the first and second nodes are part of the same private network; and *instruct* the second node to transfer the file to the first node,” as recited in claims 1, 13, 25, and 37.

It is also respectfully submitted that Mayes’ router is not analogous to the claimed “server” because the router is part of the enterprise network along with the two nodes, rather than being on the Internet and fails to perform the recited functions of the server. Mayes teaches that the router forwards packet 60a destined for the Internet to the translation system, and forwards packet 60b destined for a node on the enterprise network to the node.

The router merely receives packets sent from nodes, and therefore fails to “receive a *search request*” from one of the nodes in the enterprise network, and then, “determine that the file is stored on a second node in the enterprise network.” Maye’s node 52 sends packet 60b destined for another node on the enterprise network without any prompting. Therefore, the node 52 can be said to have started the file transfer to the other node without any determination by the router that the first and second nodes are part of the same private network; and without the router “*instructing*” the node 52 to transfer the file to the other node, as required by claims 1, 13, 25, and 37.

Absent any teaching or suggestion to the contrary, it is believed that independent claims 1, 13, 25, and 37 are allowable over Mayes.

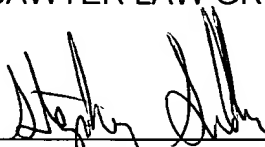
The arguments above apply with full force and effect to the remaining dependent claims because they are based on allowable independent claims. Therefore, the dependent claims are allowable for at least the same reasons as the independent claims.

In view of the foregoing, it is submitted that claims 1-43 are allowable over the

cited reference. Accordingly, Applicant respectfully requests reconsideration and passage to issue of claims 1-43 as now presented.

Applicants' attorney believes this application in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP LLP

A handwritten signature in black ink, appearing to read 'Stephen G. Sullivan', is written over a horizontal line.

Stephen G. Sullivan
Attorney for Applicant(s)
Reg. No. 38,329
(650) 493-4540

March 14, 2005
Date